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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,530	01/21/2004	Behrouz Poustchi	36550270PUS2	1092
47827 7590 04/14/2010 MUNCY, GEISSLER, OLDE & LOWE, PLLC 4000 LEGATO ROAD, SUITE 310 FAIRFAX, VA 22033				
EXAMINER				
ADDY, THUAN KNOWLIN				
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2614				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/760,530

**Applicant(s)**

POUSTCHI ET AL.

**Examiner**

THJUAN K. ADDY

**Art Unit**

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 January 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 6, 17-41, 47-49 and 53-60 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6 and 22 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 21 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 August 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

1. Applicant's amendment filed on January 06, 2010 has been entered. Claims 18-21, 23, 24, 27, 29, 32-39, 41, 49, and 54-59 have been amended. Claims 1-5, 7-16, 42-46, and 50-52 have been cancelled. No claims have been added. Claims 6, 17-41, 47-49, and 53-60 are still pending in this application, with claims 6, 17, 22, 25, 26, 28, 30, 31, 40, 47, 48, 53, and 60 being independent.

### *Allowable Subject Matter*

2. Claims 6 and 22 are allowed.

3. The following is a statement of reasons for the indication of allowable subject matter: The invention as claimed is not disclosed nor rendered obvious in view of the prior art of record. As to independent claims 6 and 22, the prior art of record fails to teach or suggest, along or in combination, the recited network device adapted to receive an incoming call, the network device comprising a call forwarding function adapted to, if the incoming call received at the network device was intended for an other network device, look-up a call forwarding destination on behalf of the other network device, and respond to the incoming call with the call forwarding destination, the network device further comprising a call processing module adapted to process the incoming call, **the processing module comprising the call forwarding function**, and a user interface adapted to **receive a user input enabling call forwarding**, wherein **responsive to the**

**user input** the call processing module is further adapted to deliver call forwarding functionality by, while call forwarding is enabled, upon receipt of the incoming call. No prior art was found that discloses or teaches the limitations of claims 6 and 22.

4. Claim 21 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 17-20, 23-41, 47-49, and 53-60 are rejected under 35 U.S.C. 102(b) as being anticipated by Petty et al. (US 6,337,858).
6. In regards to claims 17 and 53, Petty discloses a network device (See Fig. 1 and workstation 36, which contains screen display 78) and article of manufacture adapted to receive an incoming call (e.g., call request from client 18 or 20, See Fig 1), the network device comprising: a call processing function (See Fig. 5 and accept call button 86) adapted to: if the incoming call received at the network device was intended for the network device, enable a user to answer the incoming call at the network device (See col. 9 lines 34-38); and a call forwarding function (See Fig. 5 and transfer call button 90)

adapted to if the incoming call received at the network device was intended for an other network device (e.g., workstation belonging to either call handling agent B, C, D, etc.), look-up a call forwarding destination (e.g., number or IP address belonging to another call handling agent) on behalf of the other network device, and initiate a connection with a network device having the call forwarding destination (See col. 12 lines 31-52).

7. In regards to claims 18 and 54, Petty discloses the network device, wherein the call forwarding function is adapted to provide call forwarding information (e.g., user/client name and URL 84 of the page which the user/client was viewing at the time he/she placed the call request, See col. 9 lines 24-33) to another network device (e.g., call handling agent D) defined as a backup for the network device (See col. 12 lines 31-52).

8. In regards to claims 19 and 55, Petty discloses the network device and article of manufacture, wherein the network device is defined as a backup network device for the other network device (See col. 12 lines 31-52).

9. In regards to claims 20 and 56, Petty discloses the network device and article of manufacture, wherein the look-up is performed locally at the network device (See col. 12 lines 34-39).

10. In regards to claim 23, Petty discloses the network device, wherein the call forwarding function is adapted to send a message (e.g., signal) to a network device from which the incoming call originates, the message containing a reference (e.g., number or IP address) to the network device having the call forwarding destination (See col. 12 lines 31-52).

11. In regards to claims 24, 38, and 58, Petty discloses the network device, system, and article of manufacture, wherein the network device is one of a terminal set, a packet based telephone, a video phone, a **PC (Personal Computer)**, a PDA (Personal Digital Assistant), a soft phone, a wireless device, and a wireless telephone (See Fig. 1 and workstation 36, which contains screen display 78).

12. In regards to claim 25, Petty discloses a network device (See Fig. 1 and workstation 36, which contains screen display 78) adapted to receive an incoming call (e.g., call request from client 18 or 20, See Fig 1), the network device comprising: a call forwarding function (See Fig. 5 and transfer call button 90) adapted to: if the incoming call received at the network device was intended for an other network device (e.g., workstation belonging to either call handling agent B, C, D, etc.), look-up a call forwarding destination (e.g., number or IP address belonging to another call handling agent) on behalf of the other network device, and initiate a connection with a network device having the call forwarding destination (See col. 12 lines 31-52), wherein the network device is a VoIP (Voice over Internet Protocol) telephone (See col. 3-4 lines 66-10).

13. In regards to claims 26, 28, 30, and 31, Petty discloses a network device (See Fig. 1 and workstation 36, which contains screen display 78) and system adapted to participate in call forwarding, the network device comprising: a call forwarding function (See Fig. 5 and transfer call button 90) adapted to: for a call initiated with a first other network device (e.g., call handling agent D), if the first other network device cannot be reached: look-up a destination address (e.g., number or IP address belonging to

another call handling agent) for a second other network device (e.g., call handling agent A); initiate an other call to the second other network device; and responsive to receiving a first message (e.g., signal) from the second other network device containing a call forwarding destination, response with a second message (e.g., signal) to a network device having the call forwarding destination for setting up (e.g., conferencing in) another call (e.g., call to call handling agent E and F), the call forwarding destination being obtained by the second other network device on behalf of the first network device (See col. 12-13 lines 29-21).

14. In regards to claim 27, Petty discloses the network device, wherein the call forwarding function is further adapted to: for the call initiated with the first other network device, if the first other network device can be reached: responsive to a receiving a third message from the first other network device containing the call forwarding destination, send a fourth message to the network device having the call forwarding destination for setting up a call (See col. 12-13 lines 29-21).

15. In regards to claim 29, Petty discloses the network device, wherein the call forwarding function is further adapted to: if the first other network device cannot be reached: i) look-up a new destination address; ii) initiate a call with a network device having the new destination address; and iii) responsive to a receiving a first message from the network device having the new destination address, the first message containing a call forwarding destination, send a second message to a network device having the call forwarding destination for setting up a call, the call forwarding destination

being obtained by the network device having the new destination address on behalf of the first network device (See col. 12-13 lines 29-21).

16. In regards to claims 32 and 34, Petty discloses the system, wherein for each network device the call forwarding function is adapted to: as the originator network device, the establishing a media path with the other network device comprises sending a message to the other network device containing a reference to the second call (See col. 12 lines 31-52).

17. In regards to claim 33, Petty discloses the system, wherein for each network device, as the original destination network device the call forwarding function is adapted to: if the first call is not intended for the network device, looking-up the call forwarding destination on behalf of an other network device for which the first call is intended (See col. 12 lines 31-39).

18. In regards to claim 35, Petty discloses the system, further comprising: a TTI (Thin Trunk Interface) having a call forwarding function adapted to provide local call forwarding functionality as a forwarder of a call for a network devices external to the network (See col. 11 lines 2-7).

19. In regards to claim 36, Petty discloses the system, further comprising: a TTI (Thin Trunk Interface) having a call forwarding function adapted to provide local call forwarding functionality as an originator of a call for a network devices external to the network (See col. 11 lines 2-7).

20. In regards to claim 37, Petty discloses a system, wherein for each network device: the second call is to a first other network device and as the originator network



device the call forwarding function is adapted to: if the first other network device cannot be reached, look-up an address for a second other network device and send a message (e.g., signal) to the second other network device for setting up a call with the second other network device (See col. 12-13 lines 29-21).

21. In regards to claim 39, and 59, Petty discloses a system and article of manufacture, wherein the network device is a VOIP (Voice over Internet Protocol) telephone (See col. 3-4 lines 66-10).

22. In regards to claim 57, Petty discloses the article of manufacture, wherein the computer readable code means in the article of manufacture further comprises computer readable means for: responsive to the user input enabling call forwarding, delivering call forwarding functionality by, while call forwarding is enabled, upon receipt of the incoming call: if the incoming call was intended for the network device (See Fig. 1 and workstation 36, which contains screen display 78), looking-up an other call forwarding destination (e.g., workstation belonging to either call handling agent B, C, D, etc.) and initiate a connection with a network device having the other call forwarding destination (See col. 12 lines 31-39).

23. In regards to claim 60, Amick discloses in a network device, a method comprising: responsive to receiving an incoming call from a first other network device (See Fig. 1 and workstation 36, which contains screen display 78): if the incoming call was intended for an other network device (e.g., workstation belonging to either call handling agent B, C, D, etc.), looking-up a call forwarding destination (e.g., number or IP address belonging to another call handling agent) on behalf of the other network

device, and respond to the incoming call with the call forwarding destination, wherein responding to the incoming call with the call forwarding destination comprises sending a message (e.g., signal) to the first other network device identifying the call forwarding destination (See col. 12 lines 31-52).

### ***Response to Arguments***

24. Applicant's arguments with respect to claims 6, 17-41, 47-49, and 53-60 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

25. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Burger et al. (US 6,353,660) teach voice call processing methods.

26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to THJUAN K. ADDY whose telephone number is (571)272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

27. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

28. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thjuan K. Addy/  
Primary Examiner, Art Unit 2614